

IC 12-14-16

Chapter 16. Supplemental Assistance; Liens

IC 12-14-16-1

Application of chapter

Sec. 1. This chapter applies to an individual who receives any of the following:

- (1) Supplemental assistance to the aged.
- (2) Supplemental assistance to the blind.
- (3) Supplemental assistance for persons with disabilities.

As added by P.L.2-1992, SEC.8.

IC 12-14-16-2

Certificate filed with county recorder; notice of lien

Sec. 2. A certificate filed with the county recorder is notice of a lien against the recipient and the recipient's estate for any amount recoverable under this article.

As added by P.L.2-1992, SEC.8.

IC 12-14-16-3

Property subject to lien; duration; priority

Sec. 3. A lien under section 2 of this chapter:

- (1) is a specific lien in favor of the division and the county office against the real property of the recipient;
- (2) continues from the date of the filing of the notice until the lien is satisfied; and
- (3) takes priority over any other lien subsequently acquired.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.91; P.L.5-1993, SEC.104.

IC 12-14-16-4

Certificate not recorded at length

Sec. 4. A certificate may not be recorded at length.

As added by P.L.2-1992, SEC.8.

IC 12-14-16-5

Persons notified by filing

Sec. 5. The filing of a certificate constitutes notice to any person of the rights of the state and county.

As added by P.L.2-1992, SEC.8.

IC 12-14-16-6

Abstract of certificates; separate book

Sec. 6. The county recorder shall keep a separate book where an abstract of all certificates must be entered.

As added by P.L.2-1992, SEC.8.

IC 12-14-16-7

Abstract book; operation as lien; property subject; subsequently acquired property

Sec. 7. The book required by section 6 of this chapter is intended to operate as a lien upon the real or personal property of the recipient, whether then owned or subsequently acquired.

As added by P.L.2-1992, SEC.8.

IC 12-14-16-8

Abstract book; entries

Sec. 8. The book must indicate the following:

- (1) The time of filing.
- (2) The name of the recipient.
- (3) The date of the certificate.
- (4) Remarks.

As added by P.L.2-1992, SEC.8.

IC 12-14-16-9

Abstract book; purposes for which used

Sec. 9. The book may be used only for purposes connected with administration programs listed in section 1 of this chapter.

As added by P.L.2-1992, SEC.8.

IC 12-14-16-10

Filing or entry fees; notation of filing entered upon notice from division or county department

Sec. 10. A fee may not be charged for the filing of a certificate or the entry of the abstract. Upon written notice from the division or county office, the recorder shall enter a proper notation of the filing.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.92; P.L.5-1993, SEC.105.

IC 12-14-16-11

Lien foreclosure proceedings

Sec. 11. The division and county office may bring a proceeding in foreclosure on the lien or to make arbitration of the amount due on the lien if the action protects a public interest. However, with respect to supplemental assistance to the aged, a foreclosure may not be commenced against the homestead of the recipient while occupied by the recipient or the recipient's spouse, except in case of fraud.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.93; P.L.5-1993, SEC.106.

IC 12-14-16-12

Asserting lien against other claimants or lien holders

Sec. 12. The division and county office may at any time assert the lien against other claimants or lien holders in protection of the homestead or other real property of the recipient.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.94; P.L.5-1993, SEC.107.